



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrice GOMBERT et al.

Group Art Unit: 3727

Application No.: 09/824,051

Examiner: S. Castellano

Filed: April 3, 2001

Docket No.: 109149

For: A METHOD OF MANUFACTURING A TANK OF THERMOPLASTIC MATERIAL INCLUDING A PORTION IN RELIEF FOR MOUNTING AN ATTACHMENT, AND A TANK MANUFACTURED THEREBY

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

In reply to the February 4, 2004 Restriction Requirement, the 30 day period for response expiring March 5, 2004, Applicants provisionally elect Group II, claims 29-31, with traverse.

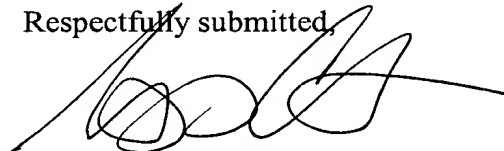
It is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added).

It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

In particular, there can be no undue burden to the Examiner because the original restriction dated October 3, 2002 was withdrawn and Applicants already received two actions on the merits in which all of the claims were searched and examined. Moreover, Applicants filed a RCE on December 1, 2003 in order to allow entry and full consideration of an amendment in which the same minor, arguably inherent, feature was added to both the method and product claims. Because this feature was argued to be inherent in the previously searched claims, the claims are believed to be in substantially the same form previously presented and examined. As such, there is believed to be little, if any, additional burden to review these claims in their entirety now, particularly since the filing of the RCE forces entry and consideration and because the same added feature exists in both the method and the corresponding product claims.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,



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Date: March 5, 2004

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